

Diaz-Balart, M.	Kelly	Rehberg
Doolittle	Kennedy (MN)	Renzi
Dreier	King (IA)	Reynolds
Duncan	King (NY)	Rogers (AL)
Dunn	Kingston	Rogers (KY)
Ehlers	Kirk	Rogers (MI)
Emerson	Kline	Rohrabacher
English	Knollenberg	Ros-Lehtinen
Everett	Kolbe	Royce
Feeney	LaHood	Ryan (WI)
Ferguson	Latham	Ryun (KS)
Flake	LaTourette	Saxton
Fletcher	Leach	Schrock
Foley	Lewis (CA)	Sensenbrenner
Forbes	Lewis (KY)	Sessions
Fossella	Linder	Shadegg
Franks (AZ)	LoBiondo	Shaw
Frelinghuysen	Lucas (OK)	Shays
Gallely	Manzullo	Sherwood
Garrett (NJ)	McCotter	Shimkus
Gerlach	McHugh	Shuster
Gibbons	McKeon	Simmons
Gilchrest	Mica	Simpson
Gingrey	Miller (FL)	Smith (MI)
Goode	Miller (MI)	Smith (NJ)
Goodlatte	Moran (KS)	Smith (TX)
Granger	Murphy	Souder
Graves	Musgrave	Stearns
Green (WI)	Myrick	Sullivan
Greenwood	Ney	Sweeney
Gutknecht	Northup	Tancredo
Hall	Norwood	Tauzin
Harris	Nunes	Taylor (NC)
Hart	Nussle	Terry
Hastings (WA)	Osborne	Thomas
Hayes	Ose	Thornberry
Hefley	Otter	Tiahrt
Hensarling	Oxley	Tiberi
Herger	Paul	Toomey
Hobson	Pearce	Turner (OH)
Hoekstra	Pence	Upton
Hostettler	Peterson (PA)	Vitter
Houghton	Petri	Walden (OR)
Hulshof	Pickering	Walsh
Hunter	Pitts	Wamp
Hyde	Platts	Weldon (FL)
Isakson	Pombo	Weller
Issa	Porter	Whitfield
Istook	Portman	Wicker
Jenkins	Pryce (OH)	Wilson (NM)
Johnson (CT)	Putnam	Wilson (SC)
Johnson (IL)	Quinn	Wolf
Johnson, Sam	Radanovich	Young (AK)
Jones (NC)	Ramstad	Young (FL)
Keller	Regula	

NOT VOTING—21

Baird	Hayworth	McInnis
Ballance	Janklow	Miller, Gary
Cardin	Jefferson	Nethercutt
Gephardt	Kilpatrick	Payne
Gillmor	Kind	Rush
Goss	Lipinski	Towns
Gutierrez	McCrery	Weldon (PA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OTTER) (during the vote). The Chair would advise Members that there are 2 minutes left on the 15-minute clock.

□ 2112

Mrs. MALONEY changed her vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The joint resolution was passed.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. NETHERCUTT. Mr. Speaker, due to a family emergency, I was unavoidably absent on January 8, 2003. I ask the RECORD to reflect that, had I been present, I would have voted “yea” on rollcall vote 7, final passage of

S. 23, the Unemployment Insurance Benefits Extension Act.

CONGRATULATING OHIO STATE UNIVERSITY BUCKEYES FOOTBALL TEAM

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 10.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. TIBERI) that the House suspend the rules and agree to the resolution, H. Res. 10, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 1, answered “present” 4, not voting 24, as follows:

[Roll No. 12]

YEAS—404

Abercrombie	Chocola	Fossella
Ackerman	Clay	Frank (MA)
Aderholt	Clyburn	Franks (AZ)
Akin	Coble	Frelinghuysen
Alexander	Cole	Frost
Allen	Collins	Gallely
Andrews	Combest	Garrett (NJ)
Baca	Conyers	Gephardt
Bachus	Cooper	Gerlach
Baker	Costello	Gibbons
Baldwin	Cox	Gilchrest
Ballenger	Cramer	Gingrey
Barrett (SC)	Crane	Gonzalez
Bartlett (MD)	Crenshaw	Goode
Barton (TX)	Crowley	Goodlatte
Bass	Cubin	Gordon
Beauprez	Culberson	Granger
Becerra	Cummings	Graves
Bell	Cunningham	Green (TX)
Bereuter	Davis (AL)	Green (WI)
Berkley	Davis (CA)	Greenwood
Berman	Davis (FL)	Grijalva
Berry	Davis (IL)	Gutknecht
Biggart	Davis (TN)	Hall
Bishop (GA)	Davis, Jo Ann	Harman
Bishop (NY)	Davis, Tom	Harris
Bishop (UT)	Deal (GA)	Hart
Blackburn	DeFazio	Hastings (FL)
Blumenauer	DeGette	Hastings (WA)
Blunt	DeLauro	Hayes
Boehlert	DeLay	Hefley
Boehner	DeMint	Hensarling
Bonilla	Deutsch	Herger
Bonner	Diaz-Balart, L.	Hill
Bono	Diaz-Balart, M.	Hinojosa
Boozman	Dicks	Hobson
Boswell	Dingell	Hoefel
Boucher	Doggett	Hoekstra
Boyd	Dooley (CA)	Holden
Bradley (NH)	Doolittle	Holt
Brady (PA)	Doyle	Honda
Brown (OH)	Dreier	Hostettler
Brown (SC)	Duncan	Houghton
Brown, Corrine	Dunn	Hoyer
Brown-Waite,	Edwards	Hulshof
Ginny	Ehlers	Hunter
Burgess	Emanuel	Hyde
Burns	Emerson	Inslee
Burr	Engel	Isakson
Burton (IN)	Buyer	Israel
Butler	Eshoo	Issa
Calvert	Etheridge	Istook
Camp	Evans	Jackson (IL)
Cannon	Everett	Jackson-Lee
Cantor	Farr	(TX)
Capito	Fattah	Jefferson
Capps	Feeney	Jenkins
Capuano	Ferguson	John
Cardoza	Filner	Johnson (CT)
Carson (IN)	Flake	Johnson (IL)
Carson (OK)	Fletcher	Johnson, E. B.
Carter	Foley	Johnson, Sam
Case	Forbes	Jones (NC)
Castle	Ford	Jones (OH)
Chabot		Kanjorski

Keller	Nadler	Serrano
Kelly	Napolitano	Sessions
Kennedy (MN)	Neal (MA)	Shadegg
Kennedy (RI)	Ney	Shaw
Kildee	Northup	Shays
King (IA)	Norwood	Sherman
King (NY)	Nunes	Sherwood
Kingston	Nussle	Shimkus
Kirk	Oberstar	Shuster
Kleczka	Oliver	Simmons
Kline	Ortiz	Simpson
Knollenberg	Osborne	Skelton
Kolbe	Ose	Slaughter
Kucinich	Otter	Smith (MI)
LaHood	Owens	Smith (NJ)
Lampson	Oxley	Smith (TX)
Langevin	Pallone	Smith (WA)
Lantos	Pascarell	Snyder
Larsen (WA)	Pastor	Solis
Larson (CT)	Paul	Souder
Latham	Pearce	Spratt
LaTourette	Pelosi	Stark
Leach	Pence	Stearns
Lee	Peterson (MN)	Stenholm
Levin	Peterson (PA)	Strickland
Lewis (CA)	Petri	Stupak
Lewis (GA)	Pickering	Sweeney
Lewis (KY)	Pitts	Tancredo
Linder	Platts	Tanner
LoBiondo	Pombo	Tauscher
Lofgren	Pomeroy	Tauzin
Lowey	Porter	Taylor (MS)
Lucas (KY)	Portman	Taylor (NC)
Lucas (OK)	Price (NC)	Terry
Lynch	Pryce (OH)	Thomas
Majette	Putnam	Thompson (CA)
Maloney	Quinn	Thompson (MS)
Manzullo	Radanovich	Thornberry
Markey	Rahall	Tiahrt
Marshall	Ramstad	Tiberi
Matheson	Rangel	Toomey
Matsui	Regula	Turner (OH)
McCarthy (MO)	Rehberg	Turner (TX)
McCarthy (NY)	Renzi	Udall (CO)
McCollum	Reyes	Udall (NM)
McCotter	Reynolds	Upton
McGovern	Rodriguez	Van Hollen
McHugh	Rogers (AL)	Velazquez
McIntyre	Rogers (KY)	Visclosky
McKeon	Rogers (MI)	Vitter
McNulty	Rohrabacher	Walden (OR)
Meehan	Ros-Lehtinen	Walsh
Meek (FL)	Ross	Wamp
Meeks (NY)	Rothman	Waters
Menendez	Roybal-Allard	Watson
Mica	Royce	Watt
Michaud	Ruppersberger	Waxman
Millender-	Ryan (OH)	Weiner
McDonald	Ryan (WI)	Weldon (FL)
Miller (FL)	Ryun (KS)	Weller
Miller (MI)	Sabo	Wexler
Miller (NC)	Sanchez, Linda	Whitfield
Miller, George	T.	Wicker
Mollohan	Sanchez, Loretta	Wilson (NM)
Moore	Sandlin	Wilson (SC)
Moran (KS)	Saxton	Wolf
Moran (VA)	Schakowsky	Woolsey
Murphy	Schiff	Wu
Murtha	Schrock	Wynn
Musgrave	Scott (GA)	Young (AK)
Myrick	Scott (VA)	Young (FL)

NAYS—1

Sensenbrenner

ANSWERED “PRESENT”—4

Hinchey	Sanders
Obey	Tierney

NOT VOTING—24

Baird	Hayworth	McInnis
Ballance	Janklow	Miller, Gary
Bilirakis	Kaptur	Nethercutt
Brady (TX)	Kilpatrick	Payne
Cardin	Kind	Rush
Gillmor	Lipinski	Sullivan
Goss	McCrery	Towns
Gutierrez	McDermott	Weldon (PA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OTTER) (during the vote). The Chair would advise the Members that there are 2 minutes left in the 5-minute vote.

□ 2119

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, unfortunately, personal business requires my presence in the district. Had I been present for today's legislative business I would have cast my votes as follows: "nay" on rollcall No. 5, on ordering the previous question during consideration of H. Res. 14; "aye" on rollcall No. 6, on the motion to instruct offered by the gentleman from Washington (Mr. McDERMOTT); "aye" on rollcall No. 7, S. 23, the Unemployment Insurance Benefits Extension Act; "nay" on rollcall No. 8, on ordering the previous question during consideration of H. Res. 15; "aye" on rollcall No. 9, the motion to adjourn; "nay" on rollcall No. 10 on the motion tabling the appeal of the ruling of the chair; "aye" on rollcall No. 11 on the motion to instruct offered by the gentleman from Wisconsin, Mr. OBEY; and "yea" on rollcall No. 12 on passage of H. Res. 10, a resolution congratulating the Ohio State University Buckeyes football team.

PERSONAL EXPLANATION

Mr. GOSS. Mr. Speaker, this evening I had to depart early for a previously scheduled meeting. As a result, I was not able to be present for rollcall votes 10, 11, and 12. Had I been present, I would have voted "yea" on rollcall vote 10, "nay" on rollcall vote 11, and "yea" on rollcall vote 12.

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.J. Res. 2, and that I may include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

MAKING FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2003

Mr. YOUNG of Florida. Mr. Speaker, pursuant to House Resolution 15, I call up the joint resolution (H.J. Res. 2) making continuing appropriations for the fiscal year ending September 30, 2003, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The text of H.J. Res. 2 is as follows:

H.J. RES. 2

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 107-229 is further amended by striking the date specified in section 107(e) and inserting in lieu thereof "January 31, 2003".

SEC. 2. Public Law 107-229, as amended, is further amended in section 120, by striking "and December 1, 2002," and inserting "December 1, 2002, January 1, 2003, and February 1, 2003."

SEC. 3. Section 613 of the Treasury and General Government Appropriations Act, 2002, is amended (1) by striking "2001" and "2002" each place it appears and subsection (a)(1), as so amended, by inserting "(as in effect on September 30, 2002)" after "Act, 2002" and after "such section 613": *Provided*, That such section, as so amended, shall be effective through September 30, 2003, notwithstanding section 107 of this joint resolution.

SEC. 4. Public Law 107-229, as amended, is further amended by striking section 137 and inserting the following new section:

"SEC. 137. (a) Notwithstanding any other provision of this joint resolution, in addition to amounts made available in section 101, and subject to sections 107(c) and 108, such sums as may be necessary shall be available to the Securities and Exchange Commission for the Secretary of the Treasury to advance start-up expenses to the Public Company Accounting Oversight Board pursuant to section 109(j) of the Sarbanes-Oxley Act of 2002 (Pub. L. 107-204).

"(b) Notwithstanding any other provision of this joint resolution, upon the collection of fees authorized in section 109(d) of the Sarbanes-Oxley Act of 2002 (Pub. L. 107-204), the Public Company Accounting Oversight Board shall reimburse the Securities and Exchange Commission for any Commission appropriations advanced to the Board for start-up expenses pursuant to section 109(j) of such Act or subsection (a) of this section, so as to result in no net effect of such advances on appropriations available to the Commission in fiscal year 2003."

SEC. 5. Section 8005 of the Department of Defense Appropriations Act, 2003 (Pub. L. 107-248) is amended by inserting before the period at the end the following: "Provided further, That in addition to the transfer authority provided in this section, and subject to the terms and conditions of this section except the limitation in the fourth proviso, only to meet unforeseen requirements associated with the global war on terrorism, the Secretary of Defense may transfer an additional \$2,500,000,000 of working capital funds of the Department of Defense or funds made available in titles I through VII of this Act to the Department of Defense for military functions (except military construction), including programs and activities of the National Foreign Intelligence Program (with the concurrence of the Director of Central Intelligence) and the United States Special Operations Command, between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred."

SEC. 6. (a) APPROVAL OF PROSPECTUS.—For purposes of section 3307(a) of title 40, United States Code, the prospectus of General Services Administration entitled "Prospectus—Lease, Department of Homeland Security, Washington, DC Metropolitan Area", prospectus number PDC-08W03, as submitted on December 24, 2002, is deemed approved by the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the date of enactment of this Act.

(b) PROHIBITION ON DELEGATION.—The authority of the General Services Administration to lease space under this section may not be delegated to another department or agency.

(c) MODIFICATIONS.—Any modification to the prospectus referred to in subsection (a)

that is subject to approval under section 3307 of title 40, United States Code, shall be approved in accordance with the requirements of such section.

SEC. 7. Section 126 of Public Law 107-229, as added by Public Law 107-240, is amended to read as follows:

"SEC. 126. Notwithstanding any other provision of this joint resolution, except section 107, the District of Columbia may expend local funds for programs and activities under the heading 'District of Columbia Funds—Operating Expenses' at the rate set forth for such programs and activities in the revised financial plan and budget for the District Government for fiscal year 2003 submitted to Congress by the District of Columbia pursuant to section 138 of H.R. 5521 of the 107th Congress, as reported by the Committee on Appropriations of the House of Representatives."

The SPEAKER pro tempore. Pursuant to House Resolution 15, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, this resolution, H.J. Res. 2, is identical to H.J. Res. 1 except for one thing, and that is the provision that allows the Defense Department the authority to transfer within their own accounts, they cannot go outside of their accounts, but to transfer up to \$2.5 billion within their accounts to fight the war on terrorism, to pay for Enduring Freedom and to do the necessary things to make the security of our Nation happen.

Other than that, it would also become the vehicle, we hope the vehicle, for the final appropriations bill for last year. We plan to conclude all of last year's appropriations bills using this as a vehicle that we will send to the Senate. We hope that they will do the right thing and send it back to us and we will either vote on it or go to conference.

Anyway, that is how we are going to conclude our 107th Congress appropriations business.

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself such time as I may consume.

Let me simply say that in Wisconsin only cows chew cuds twice, and so we have the same concerns about the consideration of this resolution, but we have already made those concerns quite clear. I see no point in dragging it out.

Let me simply say that with respect to the one difference between this resolution and the previous resolution, on this side of the aisle we agree with the provision that the gentleman is providing. I think it is a constructive provision.

Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me thank the distinguished gentleman, and I am going to